

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:	:	CHAPTER 7
	:	
WILLIAM J. NOTARIANNI, II	:	CASE NO.: 5:18-BK-02849-JJT
	:	
DEBTOR	:	

**CONCURRED-IN MOTION OF THE UNITED STATES TRUSTEE FOR AN
EXTENSION OF TIME TO FILE A MOTION TO DISMISS
PURSUANT TO 11 U.S.C. § 707(b)(3)**

NOW COMES the United States Trustee (“UST”), through undersigned counsel, and respectfully moves this Court to enter an Order extending the UST’s time to file a motion to dismiss pursuant to 11 U.S.C. § 707(b)(3) and, in support thereof, states the following:

1. On July 9, 2018, Debtor filed a voluntary petition for relief under Chapter 13 of Title 11 of the United States Code (the “Bankruptcy Code”). (Docket Entry Number¹ 1).
2. Debtor is represented by Attorney Mark J. Conway.
3. On September 11, 2018, Debtor filed a motion to convert his case to a proceeding under Chapter 7 of the Bankruptcy Code. Doc. No. 22.
4. The Chapter 7 meeting of creditors was scheduled for, and conducted on, November 2, 2018. *See* Doc. Nos. 27, 37.
5. Bankruptcy Rule 1017 states that a motion to dismiss under Section 707(b)(3) must be filed within 60 days following the first date set for the meeting of creditors held pursuant to 11 U.S.C. § 341 unless, before such time has expired, the court for cause extends the time for filing the motion. In this case, the last day to file such a motion is, after the application of Federal Rule of Bankruptcy Procedure 9006(a)(1)(C), January 2, 2019.

¹ Hereinafter “Doc. No.”

6. The UST, though counsel, and Debtor, through counsel, are currently engaged in discussions regarding certain aspects of the instant case and would like additional time to complete those discussions.

7. Accordingly, the UST wishes to extend the deadline to file a motion to dismiss pursuant to 11 U.S.C. § 707(b)(3) to allow time for the completion of the above-referenced discussions.

7. The United States Trustee believes that cause exists to extend the time for filing a motion to dismiss pursuant to 11 U.S.C. § 707(b)(3) by approximately 60 days and seeks an extension to March 1, 2019.

8. **Debtor's counsel consents to the requested extension of time.**

WHEREFORE, the United States Trustee respectfully requests that the Court enter an Order extending the time to file a motion to dismiss under 11 U.S.C. § 707(b)(3) to March 1, 2019, and grant such other and further relief as is just and equitable.

Respectfully submitted,

ANDREW R. VARA
ACTING UNITED STATES TRUSTEE

Anne K. Fiorenza
Assistant United States Trustee

By: /s/ D. Troy Sellars
D. Troy Sellars, Esq., Trial Attorney
PA ID 210302
228 Walnut Street, Suite 1190
Harrisburg, PA 17101
Tel. (717) 221-4515 / Fax: (717) 221-4544
Email: D.Troy.Sellars@usdoj.gov

Dated: December 19, 2018